REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1-25 are in the case.

I. THE ANTICIPATION REJECTION

Claims 1-25 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent 4,779,376. to Redenbaugh. That rejection is respectfully traversed.

As now claimed, there is provided a method of derivatising a polymeric material of a type which includes encapsulated water. The method comprises (a) selecting a first hydrated polymeric material which includes encapsulated water wherein the first hydrated polymeric material is a cross-linked, water-insoluble, water-containing material; (b) reducing the level of encapsulated water in the first hydrated polymeric material to produce a second polymeric material, wherein the second polymeric material includes less than 10wt% encapsulated water; and (c) treating the second polymeric material with derivatisation means for derivatising the second polymeric material. Basis for the amendment to paragraph (a) appears at page 3, lines 5-7. Basis for the amendment to the paragraph (b) appears in original claim 2. No new matter is entered.

Redenbaugh does not anticipate the method as claimed. Redenbaugh relates to a delivery system for seeds which involves encapsulating a seed together with at least one adjuvant capable of affecting the seed in a water saturated hydrogel capsule. Contrary to the assertion on page 2 of the Action, Redenbaugh does not disclose a method of "derivatising" a polymeric material as presently claimed. Derivatisation involves conversion of a chemical compound into a derivative. A derivative is a

chemical substance related structurally to another substance. Redenbaugh does not disclose derivatisation of a polymeric material.

In addition, Redenbaugh does not disclose the process steps as now claimed in claim 1. In particular, Redenbaugh does not disclose step (b) as claimed, namely reducing the level of encapsulated water in the first hydrated polymeric material to produce a second polymeric material, wherein the second polymeric material includes less than 10wt% encapsulated water. Furthermore, Redenbaugh does not disclose the step of then treating the second polymeric material which includes less than 10wt% encapsulated water, with a derivatisation means for derivatising the second polymeric material. It follows that step (c) of treating the second polymeric material produced in step (b) with a derivatisation means for derivatising the second polymeric material is also not disclosed by Redenbaugh. Thus, in addition to there being no disclosure of derivatisation of a polymeric material, Redenbaugh also provides no disclosure of steps (a)-(c) as claimed.

As a yet further point of distinction, Redenbaugh relates to water saturated hydrogels (see column 3, lines 29-35). Example A discloses the formation of saturated capsules (column 11, lines 35-42). However, Redenbaugh contains no disclosure (or suggestion) of reducing the level of encapsulated water to a level of less than 10wt%, followed by the treatment of step (c) of present claim 1 as amended. The other examples in Redenbaugh may be distinguishable on a similar basis. It appears that that it is important in Redenbaugh that the gels are saturated with water because the water present therein is used to initiate the process of germination (see, column 4, lines 52-56).

In light the above, it is clear that Redenbaugh does not disclose the method as now claimed. Withdrawal of the anticipation rejection over Redenbaugh is respectfully requested.

II. THE FORMAL REJECTION

Claim 1 stands rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite in view of the use of the word "type". The amendment to claim 1 has addressed this rejection. Withdrawal of the formal rejection is respectfully requested.

Favorable action is awaited.

Respectfully submitted,

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